

AO 91 (Rev. 08/09) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America  
v.  
Ricardo CAVAZOS-Garza  
Victor FLORES  
Jose Juan SAAVEDRA  
Juan ORNELAS

Case No.

H15-580 M

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Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 28, 2015, in the county of Harris in the  
Southern District of Texas, the defendant(s) violated:

*Code Section*

31USC5332

*Offense Description*

With the intent to evade a currency reporting requirement under section 5316, knowingly concealed more than \$10,000 in currency or other monetary instruments on their persons or in any conveyance, article of luggage, or other container, and transports or transfers or attempts to transport or transfer such currency or monetary instruments from a place within the United States to a place outside of the United States.

18USC371

Conspiracy to commit an offense against the United States, that is, to commit a violation of 31 USC 5332.

This criminal complaint is based on these facts:

See attached affidavit.

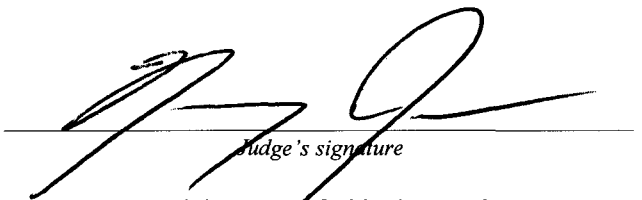
☒ Continued on the attached sheet.

Complainant's signature

Michael Campise Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 04/30/2015 1:38 pmCity and state: Houston, Texas

Judge's signature

Nancy Johnson, U.S. Magistrate Judge

Printed name and title

Affidavit

I, Michael Campise, your affiant, being duly sworn, depose and state the following:

I am a Special Agent assigned to Homeland Security Investigations (HSI), Houston, TX. I have been employed as a federal law enforcement officer since September 2009. I have knowledge and experience in various types of investigations to include narcotics and bulk cash smuggling investigations.

The information enumerated in the paragraphs below, furnished in support of this affidavit, is derived from my own observations, and that of other law enforcement officers.

On April 28, 2015, HSI Houston received information from HSI McAllen agents that High Intensity Drug Trafficking Task Force officers (HIDTA TFO's) conducted a traffic stop of a vehicle that was being driven by Juan ORNELAS. The vehicle, a dark green 2006 Jeep Commander, bearing Texas license plate DSP 8360, was stopped at approximately 11pm by Edinburg Police Department (EPD) officers for traffic violations. ORNELAS consented to a search of the vehicle. Subsequently, EPD officer escorted the vehicle to the Hidalgo, Texas, Port of Entry (POE) for an intensive inspection.

During the inspection, an x-ray was conducted of the aforementioned Jeep Commander. The results of the x-ray revealed anomalies under the third row seating of the vehicle. Further physical inspection revealed a fabricated compartment under the third row seating, underneath the carpet. A total of twenty-four (24) packages of bulk cash were discovered within the compartment. Additionally, Jeannette ORNELAS was found to have a similarly wrapped package of bulk cash concealed within her purse. Agents seized a total of \$578,420.00 in U.S. currency.

Juan ORNELAS waived his Miranda rights and made non-verbatim statements indicating that he had departed his house in McAllen, TX, on April 27, 2015, at approximately 10:30 am. ORNELAS stated he was transporting 20 bricks of cocaine which he had smuggled into the country on April 23, 2015. Further post-Miranda statements by both Juan and Jeanette ORNELAS indicated that both of them admitted to smuggling currency on at least six (6) prior occasions and smuggling cocaine to Houston, TX, on numerous occasions as well. Both Juan and Jeanette ORNELAS provided the location to which they had delivered the cocaine, as 6218 Foxleigh, Houston, TX. Juan ORNELAS made a statement that he had received a text message that instructed him to go to a house located at that address. Juan ORNELAS then gave consent to the agents to look in his phone, and a text message was discovered from the contact name "Cunado Pelon" ("Bald Brother-in-law), phone number 832-724-4332, that gave the address 6218 Foxleigh, Houston, TX 77049.

HSI Houston agents, including your affiant, with the assistance of Harris County Sheriff's Office (HCSO) TFOs, Drug Enforcement Administration (DEA) Houston agents, and Houston Police Department (HPD) Targeted Narcotics Enforcement Team

(TNET) officers initiated surveillance of the residence located at 6218 Foxleigh, Houston, TX, at approximately 12:40pm, on April 28, 2015. A white 2001 Ford F150, bearing Texas license plate DCR 1952, was observed parked in the driveway of the residence located at 6218 Foxleigh at the onset of the surveillance.

At approximately 1:54pm, the surveillance observed two vehicles that arrived in tandem at the residence located at 6218 Foxleigh, Houston, TX. The two vehicles were observed by surveillance being driven in an aggressive manner, en route to the aforementioned residence. The first vehicle was a black 2009 Infiniti G37, bearing Texas license plate FPT 9737, which is registered to Francisco FLORES at 15831 Tammany Lane, Houston, TX 77082. And the second vehicle was a dark gray Dodge 2500 pickup truck, bearing Texas license plate CRY 3648, which is registered to Ricardo CAVAZOS at 3778 Rey David Drive, Brownsville, TX. A Hispanic male who was wearing dark gray/black shorts and shirt was observed exiting the aforementioned black Infiniti G37, and that Hispanic male was later identified as Victor FLORES. A Hispanic male who was wearing a tan shirt and blue jeans, was observed exiting the aforementioned dark gray Dodge 2500, and that Hispanic male was later identified as Ricardo CAVAZOS-Garza.

FLORES and CAVAZOS-Garza were observed in the front yard area of the residence, standing together near the rear of the aforementioned Dodge 2500 pickup. CAVAZOS-Garza walked over to the driver's door of the Dodge pickup at least twice, one time he returned to the rear of the Dodge pickup, where FLORES was waiting with a set of earbud-type head phones. The two men appeared to be nervous and watching and waiting for someone, because both of them continuously were looking around, and at approximately 2:13pm, a blue Chevrolet Silverado bearing Texas license plate BRY 4883, which is registered to Demetria RODRIGUEZ at 6920 Hemlock Street, Houston, TX, arrived and parked along the curb adjacent to the residence. A Hispanic male, later identified as Jose Juan SAAVEDRA, who was wearing blue jeans and a long sleeve blue shirt with a fluorescent green vest, exited the Chevrolet Silverado. FLORES and CAVAZOS-Garza greeted SAAVEDRA, and then almost immediately, SAAVEDRA moved the aforementioned Ford F150 that was parked in the driveway to clear a path to the garage. After the Ford F150 was re-parked, CAVAZOS-GARZA then backed the Dodge 2500 pickup into the garage after the garage door was opened. All three subjects disappeared from surveillance at this time.

HPD officers assisting HSI Houston agents received information from HSI Houston and HSI McAllen agents. The information received by HPD officers was derived from the HSI McAllen investigation of ORNELAS and his post-Miranda interview. HPD officer Robert Bradley drafted a search warrant for the address 6218 Foxleigh, Houston, TX, with the information received. The search warrant was signed by 339<sup>th</sup> District Court Judge Maria Jackson, Harris County, at approximately 2:10pm.

At approximately 2:28pm the search warrant obtained by HPD was executed. Upon approach of the residence noises could be heard from behind the closed garage door. As agents were attempting to secure the rear of the residence, upon entering the backyard through the side gate that is located on the right side of the house, two individuals, later

identified as FLORES and SAAVEDRA, were seen fleeing and jumping the back fence. Agents relocated to the other side of the fence and immediately detained SAAVEDRA and FLORES. CAVAZOS-Garza was encountered in the living room of the residence by agents in the backyard and he was immediately detained. A safety sweep of the residence was conducted and no other subjects were located.

A preliminary search conducted of the residence revealed a blue duffel bag that was located on a coffee table in the living room of the residence. The duffel bag contained a vacuum sealer, a brand new package of plastic bags for the vacuum sealer, a large roll of black tape similar to duct tape, a brand new roll of aluminum HVAC tape, three (3) packages of carbon paper, and a brand new roll of aluminum foil. Several cell phones were found throughout the residence, but only one that was located on the bar, between the kitchen and the living room was seized.

At approximately 3:00pm. HPD K-9 officer James H. Lockley arrived with his K-9. HPD Officer Lockley ran his K-9 through the residence and vehicles that were associated with SAAVEDRA, FLORES, and CAVAZOS-Garza. The K-9 alerted to a closet in the front bed room, a hall closet located opposite from the door entering the garage, the aforementioned blue duffel bag, a red rolling suit case, and the aforementioned black Infiniti that was parked in the front yard and previously driven by FLORES, and the dark gray Dodge 2500 that was in the garage that CAVAZOS-Garza previously operated. A further search was conducted of all areas and vehicles. The search of the Dodge pickup that is registered to Ricardo CAVAZOS revealed eleven (11) labeled packages located within a void behind the large toolbox, behind the plastic bed liner of the pickup. Labels on the eleven packages were numbered one (1) to eleven (11), and also contained an apparent money count, with counts of 13,000, 20,000 and 60,000, totaling 253,000. Agents probed a package and revealed currency. An official count of this currency is pending. However, based on the labels, agents conclude that approximately \$253,000 was seized.

Agents also seized two cell phones that were located in the Dodge pickup that belonged to CAVAZOS-Garza. Agents also seized a cell phone that was located in the black Infiniti that belonged to FLORES. When SAAVEDRA was detained he had a wallet that contained \$829. When FLORES was detained he had a wallet that contained \$1,272. Agents also seized a number of cell phones belonging to FLORES and SAAVEDRA.

FLORES, SAAVEDRA, and CAVAZOS-Garza were transported to 5520 Greens Road, Houston TX, for processing at approximately 5:30pm. Upon being advised Miranda rights in the Spanish language, FLORES invoked his rights and refused to sign the Miranda rights form presented to him and answer questions. Both SAAVEDRA and CAVAZOS-Garza waived their rights after being read their rights in the Spanish language and agreed to speak with agents.

At approximately 7:39pm SAAVEDRA was read his rights in the Spanish language by Special Agent Fernando Terrazas and witnessed by Special Agent Chris Mendoza, and SAAVEDRA waived his rights and agreed to speak with agents. SAAVEDRA stated

that he does not know the older man, referring to CAVAZOS-Garza. SAAVEDRA stated that he has been a Lawful Permanent Resident (LPR) for approximately ten (10) years. SAAVEDRA stated that he has been living at the 6218 Foxleigh address for approximately one month, and prior to that, he lived at 50009 Dippi, Houston, TX, and that he lived at that address for approximately six (6) months. SAAVEDRA stated that he has known FLORES for some time and met him through work. SAAVEDRA stated that FLORES asked him for a favor, to use his house/garage. SAAVEDRA stated that FLORES would pay him \$500 for each use of his house/garage. SAAVEDRA stated that FLORES still owes him money from previous uses. SAAVEDRA stated that FLORES also would pay for the use of SAAVEDRA's house/garage at the 50009 Dippi address. SAAVEDRA stated that he does not know where FLORES lives. SAAVEDRA stated he believes money was in the Dodge pickup. SAAVEDRA stated that CAVAZOS-Garza moved the Dodge truck into the garage. SAAVEDRA stated that the blue duffel bag containing the vacuum sealer and other wrapping materials belonged to FLORES, because it was not there when SAAVEDRA left for work the morning of April 28, 2015. SAAVEDRA stated that FLORES called him and asked if he could come open the house. SAAVEDRA stated that he does not know who FLORES works for. SAAVEDRA identified a black and a white Jeep Commander, driven by Hispanic males that had been at his residence on prior occasions that brought loads to his house. SAAVEDRA identified a photo of CAVAZOS-Garza from a photo spread, and stated that he saw that man, CAVAZOS-Garza, drive the Dodge pickup and believed that he (CAVAZOS-Garza) picked up money from FLORES because the money was not his (SAAVEDRA's). SAAVEDRA stated that on the previous night (April 27, 2015) at his house a black Jeep Commander arrived and dropped off a load at approximately 5:00pm. SAAVEDRA stated that FLORES was there and arranged that deal.

HSI McAllen provided HSI Houston agents information from an interview of Juan ORNELAS where he identified a photo of SAAVEDRA as the individual who took the packages of the smuggled cocaine from the garage into the house, located at 6218 Foxleigh, Houston, TX. Further information provided by HSI McAllen from the same interview indicates that ORNELAS identified a photo of FLORES and stated that FLORES arrived at 6218 Foxleigh, Houston, TX, in a red Chevrolet Silverado pickup and that FLORES brought the money that was eventually seized from ORNELAS subsequent to the traffic stop by EPD on April 28, 2015.

At approximately 7:42pm, HSI Group Supervisor Hiram Prado read to CAVAZOS-Garza his Miranda Warnings in the Spanish language, as witnessed by HSI Special Agent Maria Gilbert. According to CAVAZOS-Garza, approximately two weeks ago, 12 armed members of the Gulf Cartel went to his residence in Matamoros, Nuevo Leon, Mexico. According to CAVAZOS-Garza, the Gulf Cartel members threatened him and his family with death if he (CAVAZOS-Garza) did not transport money.


According to CAVAZOS-Garza, he transported packages for the first time about one week ago, which he obtained at a mechanic shop in Houston, TX. CAVAZOS-Garza said that he was given a phone number to contact to obtain the currency, which he did. CAVAZOS-Garza said he met persons at a McDonalds in Houston, TX, near Interstate



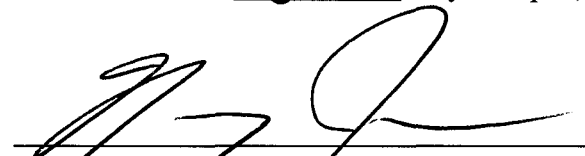
10 and Wayside and Lockwood. A male, approximately 50 years old, met with CAVAZOS-Garza at the McDonalds. CAVAZOS-Garza followed this individual to a mechanic shop. CAVAZOS-Garza was given several packages and told to put them behind the bed liner of his vehicle as instructed by unknown persons in Mexico.

CAVAZOS-Garza said once he hid the packages, he returned to Matamoros, delivered the packages and was paid \$1,300 cash. According to CAVAZOS-Garza, his second trip to transport packages led to his arrest on April 28, 2015. CAVAZOS-Garza said he departed to Houston at approximately 6:30am on April 28, 2015. While in route, CAVAZOS-Garza received a phone call from a male subject known as "Willie" who provided him with a telephone number and instructed to contact that person. CAVAZOS-Garza subsequently made contact with the telephone number and made arrangements to meet the unknown subject, later identified as Victor FLORES, at a gas station. Upon arrival at the pre-determined gas station, CAVAZOS-Garza met with FLORES who was driving a black Infiniti. CAVAZOS-Garza followed FLORES to 6218 Foxleigh Road, Houston, TX. Upon their arrival, FLORES instructed CAVAZOS-Garza to back up his vehicle in the driveway. CAVAZOS-Garza said both he and FLORES had to wait approximately ten (10) minutes before another male subject, later identified as Jose SAAVEDRA, arrived at 6812 Foxleigh. CAVAZOS-Garza stated that he observed FLORES obtained a red bag from the Infiniti and carry it into the residence. CAVAZOS-Garza, SAAVEDRA, and FLORES were in the living room with the bag. FLORES removed approximately 11 packages from the red bag and gave them to CAVAZOS-Garza. CAVAZOS-Garza loaded the packages into his pickup while FLORES and SAAVEDRA remained inside the residence.

CAVAZOS-Garza said that when he, FLORES and SAAVEDRA heard the police at the residence, FLORES and SAAVEDRA ran out of the house to the back yard. CAVAZOS-Garza said he remained inside the residence and was arrested.

  
Michael Campise, Special Agent  
Homeland Security Investigations

SWORN TO AND SUBSCRIBED BEFORE ME this 30<sup>th</sup> day of April, 2015.

  
HON. NANCY JOHNSON  
UNITED STATES MAGISTRATE JUDGE